

Contact: Chip Guy
Communications Director
Sussex County Administration
(302) 854-5000
pio@sussexcountype.gov

Sussex County Council
Administrative Offices
2 The Circle
PO Box 589
Georgetown, DE 19947

**Sussex County
Government**

News Release

Sussex County agrees to settle fair housing claim with U.S. Department of Justice, HUD

Georgetown, Del., Nov. 28, 2012: Sussex County government has reached agreements with the U.S. Department of Justice and the federal Housing and Urban Development agency in a fair housing claim case that will allow developers of a once-denied housing project to resubmit their plans for consideration, without an admission of wrongdoing on the part of County officials.

Sussex County officials have signed off on two agreements in the case triggered by a complaint filed by Diamond State Community Land Trust. The complaint followed the County's 2010 denial of the Trust's New Horizons development planned near Laurel.

Following an executive session Nov. 27, County Council approved separate agreements with both federal agencies. The Justice Department and HUD, meantime, have already given their approvals to the agreements.

Under terms of the agreements, Sussex County admits no wrongdoing and no penalty or fines have been assessed against the County. However, the County agrees to allow Diamond State to resubmit its subdivision plans, if it so chooses, for re-consideration before the County's Planning & Zoning Commission.

Additionally, the County's insurance carrier will pay a \$750,000 financial settlement in the case, and the County agrees to name a fair housing compliance officer and develop an affordable housing plan to ensure equal housing opportunities continue to be promoted.

For Immediate Release

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“We are pleased that we are able to come to this agreement, and to put the matter behind us for all parties involved – most of all for the taxpayers and residents of Sussex County,” County Council President Michael H. Vincent said. “This settlement avoids further litigation and investigatory proceedings by the DOJ and HUD, it ensures Diamond State can move forward with its plans, and it protects the taxpayers from paying anything toward the settlement of this complaint. That was among the most important priorities for the Council throughout these discussions.”

In the coming weeks, the County will be working closely with the U.S. Department of Housing and Urban Development, which initially received the complaint, about developing a plan to build upon the County’s affordable housing efforts to date.

Sussex County’s Community Development & Housing Department already administers more than \$1 million annually in federal block grant funding to help rehabilitate low- and moderate, owner-occupied housing and assist with sewer connections in the county. County government provides funding for staff in that office, and directs an additional \$70,000 annually toward housing rehabilitation costs. The fair housing compliance officer employed by the County would assist in coordinating these programs.

Meantime, the County Council in the past 10 years has adopted a number of ordinances to prompt affordable housing construction and fair housing opportunities. Among those efforts are the County’s Moderately Priced Housing Unit Program and Rental Program – both of which provide developers with density bonuses for including affordable housing. The County also adopted an ordinance in recent years allowing for garage/studio apartments to be built in various zoning categories throughout the County to help boost the affordable housing stock.

“Despite many of the claims in this case, we believe Sussex County has a solid track record of doing its part to help foster an environment for affordable housing and equal opportunity,” County Administrator Todd F. Lawson said. “Certainly, there is always room for improvement, and we recognize that. We believe this settlement gives the County an opportunity to expand on its efforts over the years, and to continue doing what it can to ensure quality, affordable housing for all our citizens.”

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